

# CELLULARONE<sup>®</sup>

*One Promise*

February 20, 2009

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: EB Docket No. 06-36**  
**Annual 47 C.F.R. § 64.2009(e) CPNI Certification for 2008**

Dear Ms. Dortch,

Pursuant to Section 64.2009(e) of the FCC rules, MTPCS, LLC d/b/a Cellular One on behalf of itself and its wholly-owned subsidiary MTPCS License Co., LLC, is hereby submitting its 2008 CPNI certification with accompanying statement.

Please contact the undersigned at (610) 535-6911 or [abataille@cellonenation.com](mailto:abataille@cellonenation.com) with any questions regarding this submission.

Sincerely,



Ana Bataille  
Tax/Regulatory Manager

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification  
EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2008

Date filed: February 19, 2009

Name of company(s) covered by this certification: MTPCS, LLC and its wholly-owned subsidiary MTPCS License Co., LLC (collectively, "the Company")

Form 499 Filer ID: 825542

Name of signatory: Rosalinda Serna

Title of signatory: Chief Operating Officer

I, Rosalinda Serna, certify that I am an officer of the Company named above, and acting as an agent of the Company, that I have personal knowledge that the Company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the Company's procedures ensure that the Company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The Company has taken the following actions against data brokers in the past year: No actions necessary in 2008. The Company's information with respect to the processes pretexters are using to attempt to access CPNI is: information available in trade publications, news media and research in the Industry. The attached statement describes the steps the Company is taking to protect CPNI.

The following is a summary of all customer complaints received in 2008 regarding the unauthorized release of CPNI. Number of customer complaints the Company received in 2008 related to unauthorized access to CPNI, or unauthorized disclosure of CPNI: 0

Number of instances of improper access by employees - 0

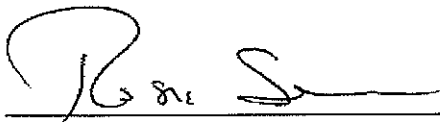
Number of instances of improper disclosure to individuals not authorized to receive the information - 0

Number of instances of improper access to online information by individuals not authorized to view the information - 0

Number of other instances of improper access or disclosure - 0

Description of instances of customer complaints, improper access or disclosure: N/A

Signed



**Statement of Compliance  
Of MTPCS, LLC  
With Subpart U of Part 64 of the Commission's Rules**

This compliance statement is made by MTPCS, LLC, on behalf of itself and its wholly-owned subsidiary MTPCS License Co., LLC (collectively, "the Company"). The operating procedures of the Company ensure that it is in compliance with the rules in Subpart U of Part 64 of the Commission's Rules, as follows.

The Company has implemented a system whereby the status of each customer's Customer Proprietary Network Information ("CPNI") approval can be established prior to the use of CPNI. The Company's employees are trained on these procedures and they are set forth in the company's policies and procedures.

**Identity Verification.** The Company does not rely on a customer's name, social security number, phone number, or address when determining their identity. Instead, the Company personnel use customer-generated passwords to verify identity. The Company does not release call detail information during telephone-initiated contact until the customer provides the password. If the customer does not provide the password, Company personnel call the customer back at the telephone number of record, or advise the caller to go in to one of the Company's retail stores and show valid photo identification.

**Online Access.** The Company permits online access only through a password that it sends to a customer that has supplied an email address and has (1) shown valid photo identification to a store representative; or (2) been called back at the phone number of record.

**Customer Notification of Changes.** The Company notifies a customer immediately when there are any changes to the customer's password, response to a back-up means of authentication for lost or forgotten passwords, online account, or address of record. The notification is mailed to the customer's address of record or called to the phone number of record; if the address was the changed information, the notification is called to the phone number of record; if the phone number was changed, the notification is mailed to the address of record.

**Third Parties.** The Company does not sell CPNI to third parties. The Company only discloses CPNI to third parties (other than affiliates or duly authorized agents) to the extent required or expressly permitted by law.

**Marketing.** The Company does not use, disclose, or permit access to CPNI to market to a customer any service offerings that are within a category of service to which the subscriber does not already subscribe from the Company, unless the Company has obtained customer approval to do so in accordance with 47 C.F.R. § 64.2007, or as described in 47 C.F.R. § 64.2005(c), or (as noted in Section 64.2007(b)) as otherwise provided in section 222 of the Communications Act of 1934, as amended.

**Training.** In accordance with its policies concerning use of CPNI, the Company trains its personnel on when they are and are not authorized to use CPNI. If personnel do not use – or refrain from using – CPNI appropriately, those personnel are disciplined according to the express disciplinary process in the Company's sales and human resources policies.

**Supervisory Review; Records.** Pursuant to its sales and marketing policies, the Company has established a supervisory review process regarding its compliance with the FCC rules for

outbound marketing situations, and the Company maintains records of its compliance for a minimum period of one year. Specifically, the Company's sales personnel are required to obtain supervisory approval of any proposed outbound marketing request for customer approval.

**Records.** The Company maintains records of any and all sales and marketing campaigns that use subscribers' CPNI, and any times when CPNI is shown or given to third parties. These records describe each such campaign, state what CPNI was used in the campaign, and what products and services were offered as a part of the campaign. The records are maintained for not less than two years.

**Notifications.** The Company notifies law enforcement and the customer of any breach of the Commission's CPNI rules. The Company, in accordance with its policies, provides written notice within five business days to the Commission of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

**Compliance certificate and statement.** An officer of the Company, as its agent, signs a compliance certificate on an annual basis stating that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the rules in this subpart. The Company provides a statement accompanying the certificate explaining how its operating procedures ensure that it is or is not in compliance with the rules in this subpart. These documents are filed in the company's records. For this year, this document and the accompanying certification constitute that statement.

This statement has been reviewed and found accurate, in accordance with the procedures and policies of MTPCS, LLC, as of February 19, 2009.

Signed: Rosie Se  
Print Name: Rosie Se  
Title: COO  
Date: 2-19-09